

// A special meeting of the Council of the City of Lynchburg, recessed from the earlier 11:30 a.m. meeting with the Industrial Development Authority Board, was held on the 26th day of October, 2004, at 1:00 P.M., Second Floor Training Room, City Hall, Carl B. Hutcherson, Jr., President, presiding. The purpose of the meeting was to conduct a work session regarding several items. The following Members were present:

Present: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Absent: 0

// Planning Commission Chair Wayne Dahlgren provided an overview regarding the Planning Commission's annual report delineating its activities for fiscal year ending June 30, 2004.

// Amazement Square Executive Director Mort Sajadian provided City Council with the view of a proposed mural to be placed on the Human Services parking lot wall. Mr. Sajadian explained that mosaic tiles would be used to create the mural, which would reflect past to present development of one section of the riverfront. City Manager Kimball Payne stated that the Downtown/Riverfront Master Plan calls for a future parking deck to be constructed on the property, which could possibly conceal the mural. Mr. Payne questioned if removable panels were still being considered as an option for this site. Mr. Sajadian stated that they were still looking at the costs associated with removable panels, including the potential for higher maintenance costs. On motion of Council Member Dodson, seconded by Vice Mayor Foster, Council by the following recorded vote endorsed the proposed mural to be placed on the Human Services parking lot wall:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// Financial Services Director Mike Hill presented an overview of information gathered from use of a Financial Trend Monitoring System (FTMS), as contained in an October 25 report previously furnished to City Council. Mr. Hill explained that the information is to provide a snapshot of the City's financial past and projections for the future based on certain assumptions.

// Communications and Marketing Director JoAnn Martin asked that City Council endorse the efforts of her office in leading a marketing project that includes the formation of a Marketing Task Force, the performance of a gap analysis of current marketing efforts by identified stakeholders, and the creation of a City Marketing Plan. Ms. Martin explained that the expected outcomes of the project includes increased awareness of all marketing efforts currently underway, identification and continuation of successful marketing efforts, and the creation of an effective, fiscally-responsible marketing plan for the City based on sound marketing concepts, achievable goals, and realistic expectations.

// City Manager Kimball Payne presented an alternative proposal that would allow child care centers to provide day care for twelve or less children in a residential neighborhood without having to obtain a Conditional Use Permit (CUP). Mr. Payne explained that the State Code provides that a locality may by ordinance allow the Zoning Administrator to use an administrative process to approve family day homes serving six to 12 children, and that the process would provide for the notification of adjacent property owners and a period of thirty days for any objections to be raised. Mr. Payne went on to say that if the

Zoning Administrator denies the request after public objection, the facility would then have the option to obtain a Conditional Use Permit from City Council. Mr. Payne explained that allowing for an administrative approval process would provide for the notice and comment by neighbors while eliminating the requirement for a site plan and an expensive application fee, unless objections necessitated a CUP. Vice Mayor Foster stated that she would like to correct some misinformation presented earlier regarding the role of the Alliance for Families and Children with regard to child care centers. Mrs. Foster explained that the Alliance for Families and Children is not a licensing agent for child care centers, but serves as a resource only to those agencies. Council Member Gillette stated that he would like to see the notification sent to property owners within 200 feet of the facility in order to be consistent with other zoning notifications. Council Members expressed support for the alternative proposal with the change regarding notification of property owners within 200 feet of the facility, and reached consensus to forward that proposal to the Planning Commission for review and comment.

// City Manager Kimball Payne explained that for the past several budget cycles, City Council has struggled with the issue of funding local or regional non-profit agencies through the General Fund, and that in preparation for the FY2006 Budget, it would be helpful if both staff and the non-profit agencies had a clearer understanding of Council's willingness to consider requests for funding from those agencies. Following discussion, City Council agreed that requests from non-profit agencies would be considered during the normal budget process, that the agency must complete the required application form and demonstrate that they are meeting a community service gap or saving city resources by providing a service that would normally have to be provided by local government.

// City Council discussed conducting interviews as a body with candidates seeking a seat on the Lynchburg School Board. Following discussion, City Council expressed interest in a formal interview process, to be conducted during a closed meeting, and asked staff to design a written procedure for future work session discussion.

// City Manager Kimball Payne provided a brief overview regarding the current policy regarding City employees making a petition to City Council. Following discussion, City Council agreed not to make any changes to the current policy.

// City Manager Kimball Payne presented a brief overview regarding the Towing Advisory Board's recommendations concerning the City's procedures for the towing of disabled, unattended or abandoned vehicles. Following discussion, City Council agreed with staff's recommendation to schedule a public hearing to receive public comment regarding the manner in which the City handles disabled, unattended or abandoned vehicles.

// During roll call, Council Member Seiffert requested an update regarding bonded road projects included in the December 16, 2003, Conditional Use Permit for the former Ericsson property. Council Member Seiffert also asked for an update regarding the "Volunteer! Lynchburg" program. Council Member Johnson stated that for clarification purposes he wanted to go on record that he was supportive of the proposed Walgreens store at the corner of Langhorne/Murrell Roads and that he is prepared to bring the

matter back to the floor at the appropriate time. Vice Mayor Foster informed that Red Ribbon Week will be October 23-31. Mayor Hutcherson asked Deputy City Manager Bonnie Svrcek to share with City Council some of the ideas she gained from the recent ICMA conference. Mayor Hutcherson also informed that he was elected Vice President of the Virginia Municipal League during the annual meeting.

// On motion of Vice Mayor Foster, seconded by Council Member Johnson, Council by the following recorded vote elected to hold a closed meeting for discussion regarding the expansion of an existing business in the City where no previous announcement has been made of the business' interest in expanding its facilities pursuant to Section 2.2-3711(A)(5) of the Code of Virginia, 1950, as amended:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson

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Noes:

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// The meeting was re-opened to the public.

// Council Member Gillette made the following motion:

WHEREAS, the Council of the City of Lynchburg has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by City Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lynchburg certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by Council.

The Motion was seconded by Council Member Johnson, and Council by the following recorded vote adopted the motion:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson

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Noes:

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// The meeting was adjourned at 4:50 p.m.